

REMARKS

Claims

Claims 6-30 were pending at last examination. Claims 1, 6-30 have been rejected.

35 USC §112

The Office Action has rejected Claim 1 under 35 U.S.C. §112, second paragraph as being indefinite. Claim 1 was canceled in a prior paper.

35 USC §103

The Office Action has rejected Claims 6-30 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,061,349 issued to Coile et al. (herein “Coile”) in view of Cisco et al [Radius Commands] (herein “Cisco Radius”).

Claim 6. As to claim 6, it is respectfully submitted that the Office Action does not show that Coile in view of Cisco Radius discloses, teaches or renders obvious all the limitations of claim 6.

For example, claim 6 recites, in part, “*...at least one virtual network machine in the memory ...*” The Examiner has written “*...As per claim 6, Coile discloses ...at least one virtual*

network machine in the memory, said at least one first virtual network machine including a first network interface [Coile, network interface, Ethernet interface, col 7 line 64-col 8 line 10; a plurality of virtual machines, col 8 line 45-col 9 line 15, Fig. 31]; Coile also discloses a Domain Name Service [Coile, DNS, col4 line 31], the router [Coile, col 8 line 50], Internet [Coile, Fig 2A] and ...”

It is respectfully submitted Coile does not anywhere disclose or teach “*virtual network machine*” or “*virtual network*” per se. Coile does disclose a “*virtual machine*” including at the place cited by the Office Action. But it is further respectfully submitted that Coile’s “*virtual machine*” does not constitute a “*virtual network machine*”. It should be noted that the term “*virtual network machine*” has a particular accepted meaning in the network and routing arts.

Even if, purely for the sake of argument, it were reasonable to construe that “*a virtual network machine*” means merely “*a virtual machine [and] a network*” such presumption would be overcome by the explanation of the term “*virtual network machine*” used in the present application. See, in particular, Page 16 lines 2-8 of the specification, reproduced here: “*A Virtual Network Machine (VNM) as the term is used herein to describe the collection of processes and mechanisms that operate on a network device to implement the functions of a node in a virtual network. The functionality of a virtual network machine can be that of a router, bridge or switch, depending on what is configured in its network database.*” (Emphasis added).

It is respectfully submitted that, even though Coile separately discloses “*a router*” there is no suggestion in Coile that his “*virtual machine*” fulfills any of the specific purposes of “*a virtual network machine*”. In fact Coile **teaches away** from such a presumption in that Colie

specifically defines his usage of “*virtual machine*” as follows:- “*The term virtual machine is used to describe a machine which corresponds to the destination IP address specified by the client because no such physical machine actually exists.*” (See Coile Column 5 lines 37-39). It is notorious in the routing arts that routers act to forward IP packets to destination IP addresses elsewhere (i.e. remote from the router) and conversely the provisioning of **destination IP** addresses is generally contrary to the purpose of a router. Thus, it is respectfully submitted that it is improper to conflate Coile’s “*virtual machine*” (*a machine which corresponds to the destination IP address*) with Coile’s router to construct a “*virtual network machine*” as disclosed in the specification of the present patent application.

Moreover the Cisco Radius document is silent as to “*Virtual*”.

Thus, it is respectfully submitted that Coile in view of Cisco Radius, separately or jointly, cannot teach, disclose or render obvious all the limitations of claim 6; and therefore no *prima facie* showing of obviousness has been made. For at least this reason recited above it is respectfully requested that the rejection of claim 6, under 35 USC§103(a) be withdrawn.

Claims 7-30. Claims 7-30 each recite, directly or indirectly, a limitation as to “*a virtual network machine*” or “*a virtual network machines*”, therefore it is respectfully submitted that claims 7-30 are allowable for at least the same reasons as claim 6 and the rejections of Claims 7-30 under 35 USC§103(a) should also be withdrawn.

SUMMARY

Reconsideration of this application is respectfully requested. Claims 6-30 remain in the application. No claims have been amended. No claims have been canceled. No claims have been added.

Invitation for a telephone interview

The Examiner is invited to call the undersigned at 408-720-8300 (Pacific Time) if there remains any issue with allowance of this case.

Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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